

Panaji, 19th September, 2019 (Bhadra 28, 1941)

SERIES II No. 25

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Technical Education

College Section

Order

No. 16/150/Confirmation/GEC/04/RF.II/1730

On the recommendations of the Goa Public Service Commission as conveyed vide their letters No. COM/II/12/18(1)/2014/168 and No. COM/II/12/18(1)/2013/169 dated 16-08-2019, the Government of Goa is pleased to declare the following Group 'A' Gazetted Officers of Goa College of Engineering, Farmagudi, Ponda-Goa to have satisfactorily completed their probation period and confirm them in the post with effect from the date mentioned in the respective column against their names.

Sr. No.	Name of faculty	Designation	Date of completion of probation period
1	2	3	4
1.	Dr. Sebestiao Benjamin Mesquita	Associate Professor in Mathematics	19-10-2000.
2.	Shri Govind R. Kunkolienkar	Associate Professor in Electrical & Electronics Engineering	07-04-2006.
3.	Shri Umesh A. Bapat	Associate Professor in Computer Engineering	10-04-2006.
4.	Mrs. Maruska F. C. Mascarenhas	Associate Professor in Computer Engineering	28-07-2006.
5.	Shri Nilesh B. Fal Dessai	Associate Professor in Information Technology	26-03-2007.
6.	Dr. Ganesh Narayan Hegde	Associate Professor in Civil Engineering	02-03-2015.
7.	Ms. Aisha C. F. Fernandes	Associate Professor in Information Technology	07-11-2018.
8.	Dr. Jagannath Hirkude	Associate Professor in Mechanical Engineering	20-12-2018.
9.	Shri Raghavendra D. Naik	Assistant Professor in Mechanical Engineering	29-05-2015.
10.	Smt. Sneha Ulhas Phadate	Assistant Professor in Electrical & Electronics Engineering	25-12-2017.

By order and in the name of the Governor of Goa.

Vivek B. Kamat, Director & ex officio Addl. Secretary (Technical Education).

Porvorim, 11th September, 2019.

Directorate of Archives & Archaeology

Order

No. 9/12/8/EDN/2018-19/46

On the recommendation of the Goa Public Service Commission, as conveyed vide their letter No. COM/II/12/4(1)/2019/143 dated 15th July, 2019, the Government is pleased to declare satisfactory completion of probation period of two years of following officer as detailed below in the post of Archivist (Management), Group 'B' Gazetted in the Directorate of Archives and Archaeology and also to confirm him against the said post with effect from the date of his completion of probation period.

Sr. No.	Name	Designation	Date of Joining	Date of completion of probation period
1	2	3	4	
1.	Shri Vasu Madhu Usapkar	Archivist (Management)	09-10-2014	08-10-2016.

By order and in the name of the Governor of Goa.

Blossom Medeira, Director & ex officio Joint Secretary (Archives and Archaeology).

Panaji, 28th August, 2019.

Order

No. 9/12/8/EDN/2018-19/47

On the recommendation of the Goa Public Service Commission, as conveyed vide letter No. COM/II/12/4(2)/2019/142 dated 15th July, 2019, the Government is pleased to declare satisfactory completion of probation period of two years of following officer as detailed below in the post of Scientific Officer, Group 'B' Gazetted in the Directorate of Archives and Archaeology and also to confirm her against the said post with effect from the date of her completion of probation period.

Sr. No.	Name	Designation	Date of Joining	Date of completion of probation period
1	2	3	4	5
1.	Kum. Gayatri Gurudas Ghatwal	Scientific Officer	30-01-2015	29-01-2017

By order and in the name of the Governor of Goa.

Blossom Medeira, Director & ex officio Joint Secretary (Archives and Archaeology).

Panaji, 28th August, 2019.

Order

No. 9/12/8/EDN/2018-19/48

On the recommendation of Goa Public Service Commission, as conveyed vide letter No. COM/II/12/4(3)/2019/141 dated 15th July, 2019, the Government is pleased to declare satisfactory completion of probation period of two years of following officer as detailed below in the post of Assistant Superintending Archaeologist, Group 'B' Gazetted in the Directorate of Archives and Archaeology and also to confirm him against the said post with effect from the date of his completion of probation period.

Sr. No.	Name	Designation	Date of Joining	Date of completion of probation period
1	2	3	4	5
1.	Shri Varad Sudhir Sabnis	Assistant Superintending Archaeologist	01-12-2015	30-11-2017

By order and in the name of the Governor of Goa.

Blossom Medeira, Director & ex officio Joint Secretary (Archives and Archaeology).

Panaji, 28th August, 2019.

Department of Environment

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Addendum

No. 7/4/98/STE/DIR/Part II/479

- Read: (1) Notification No. 7/4/98/STE/DIR/Part I/557 dated 14-07-2008 published in Official Gazette, Series II No. 15 dated 15-07-2008 (Extraordinary No. 5).
- (2) Addendum No. 7/4/98/STE/DIR/Part I/1546 dated 15-01-2010 published in Official Gazette, Series II No. 44 dated 28-01-2010.
- (3) Addendum No. 7/4/98/STE/DIR/Part I/105 dated 23-04-2015 published in Official Gazette, Series II No. 9 dated 28-05-2015.
- (4) Notification No. 2/3/2002-HD(G)/Part/44 dated 02-01-2019 published in Official Gazette, Series II No. 41 dated 10-01-2019.
- (5) Notification No. 2/3/2002-HD(G)/Part/199 dated 11-01-2019 published in Official Gazette, Series II No. 43 dated 24-01-2019.

In the Notification & Addendum read above at Sr. No. (1), (2) & (3) and in view of Government issuing Notification dated 02-01-2019 read at (4) above and Notification dated 11-01-2019 read at (5) above; in the list of "Authority" after Sr. No. 14, the following shall be inserted, namely:-

"(15) The Dy. Collector & Sub-Divisional Magistrate, Sanguem-Goa.

(16) The Dy. Collector & Sub-Divisional Magistrate, Satari-Goa."

By order and in the name of the Governor of Goa.

Johnson Fernandes, Director & ex officio Joint Secretary (Environment).

Porvorim, 13th September, 2019.

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Addendum

No. 7/4/98/STE/DIR/Part II/480

- Read: (1) Notification No. 7/4/98/STE/DIR/Part I/922 dated 04-12-2007 published in Official Gazette, Series II No. 37 dated 13-12-2007.
- (2) Notification No. 7/4/98/STE/DIR/Part I/1545 dated 15-01-2010 published in Official Gazette, Series II No. 44 dated 28-01-2010.
- (3) Notification No. 7/4/98/STE/DIR/Part I/104 dated 23-04-2015 published in Official Gazette, Series II No. 9 dated 28-05-2015.

(4) Notification No. 2/3/2002-HD(G)/Part/44 dated 02-01-2019 published in Official Gazette, Series II No. 41 dated 10-01-2019.

(5) Notification No. 2/3/2002-HD(G)/Part/199 dated 11-01-2019 published in Official Gazette, Series II No. 43 dated 24-01-2019.

In view of the Government issuing Notifications dated 02-01-2019 & 11-01-2019, read at (4) & (5) above; in the list of "authority" so designated, in pursuance of Rule 2(c) of the Noise Pollution (Regulation and Control) Rules, vide Notification dated 04-12-2007, read at (1) above; the following new Sr. Nos. shall be inserted, as below:-

1) after Sr. No. (8) and before Sr. No. (9), new Sr. No. (8a) shall be inserted, namely:-

"(8a) Dy. Collector & Sub-Divisional Magistrate, Satari."

2) after Sr. No. (12b) and before Sr. No. (13), new Sr. No. (12c) shall be inserted, namely:-

"(12c) Dy. Collector & Sub-Divisional Magistrate, Sanguem".

By order and in the name of the Governor of Goa.

Johnson Fernandes, Director & ex officio Jt. Secretary (Environment).

Porvorim, 13th September, 2019.

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Department of Labour—
Notification

No. 28/2/2019-LAB/Part-I/544

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 15-07-2019 in reference No. IT/28/16 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 12th September, 2019.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT

GOVERNMENT OF GOA AT PANAJI

(Before **Mr. Vincent D'Silva**, Hon'ble Presiding Officer)

Ref. No. IT/28/16

Shri Mukesh R. Gaude & 12 Others,
Rep. by the General Secretary,
Goa Trade & Commercial Workers Union,
Velhos' Building, 2nd Floor,
Panaji, Goa-403 001. ... Workmen/Party I

V/s

M/s. Terecom Limited,
102, Kundaim Industrial Estate,
Kundaim, Goa-403 401. ... Employer/Party II
Workman/Party I represented by Ld. Adv. Shri
Suhaas Naik.

Employer/Party II ex-parte.

AWARD

**(Delivered on this the 15th day of the month
of July of the year 2019)**

By Order dated 31-3-2016, bearing No. 28/4/2016-LAB/230, the Government of Goa in exercise of powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (for short The Act), has referred the following dispute to the Tribunal for adjudication.

“(1) Whether the non-employment of the following 13 workmen with effect from 13-09-2014 is an instance of refusal of employment by the management of M/s. Terecom Limited, 102 Plant, Kundaim Industrial Estate, Kundaim, Goa or an act of abandonment of services by the workmen?”

Sr. No.	Name of the workmen	Designation
1.	Shri Mukesh R. Gaude	Sr. Operator.
2.	Shri Dasharath S. Bhomkar	Sr. Operator.
3.	Shri Mahesh G. Bhomkar	Sr. Operator.
4.	Shri Prashant Korgaonkar	Sr. Operator.
5.	Shri Sandesh E. Naik	Sr. Operator.
6.	Shri Mukesh J. Gaude	Operator.
7.	Shri Anil Priolkar	Operator.
8.	Shri Abhijit Kunkalikar	Operator.
9.	Shri Rajan Sankar	Operator.
10.	Shri Prabhakar Tiwari	Operator.
11.	Shri Tukna Gauda	Technician.
12.	Shri Ryshikesh Phadte	Sr. Operator.
13.	Shri Sanjay Das	Sr. Operator.

“(2) If not, what relief the workmen are entitled to?”

2. Upon receipt of the reference, it was registered as IT/28/16 and registered A/D notices were issued to both the parties. Pursuant to service of notices, Party I filed a Claim statement at Exb. 3.

3. In short, the case of the Party I is that the Party I workmen were employed with Party II at its factory at Kundaim, however suddenly from

13-9-2014 they were refused employment alleging misconduct. They made several attempts to join the duties, however the Party II did not allow them to resume their duties. The Party II failed to pay their salaries and refused to employ them. The management tried to shift its plants and machinery to unknown places against which a police complaint was filed before Ponda Police. The matter was referred to Assistant Labour Commissioner and it advised the Party II to allow the workmen to resume their normal duties, however the Party II did not comply with the advice and continued to refuse employment to Party I workmen. The action of the Party II in refusing the employment is illegal, unjustified and bad in law. The Union had raised a substantial industrial dispute before the office of the Labour Commissioner but due to adamant attitude of the Party II, the matter ended in failure. The Party II had taken a stand before the ALC, Ponda that they have not refused the employment but the workmen themselves had stopped attending the duties. All the workmen are presently unemployed and have no source of income to maintain them. The Party I workmen therefore entitled for immediate reinstatement, full back wages and continuity in service along with all other consequential benefits.

4. It is a matter of record that the Party II was duly served and initially one Adv. Shri V. Narvekar appeared on behalf of the Party II. It is also a matter of record that Adv. P. Chawdikar appeared and sought time to file written statement or file terms of settlement on various dates of hearing. It is seen that on 13-7-2018, Adv. Chawdikar filed an application for relieving him from the present matter which was allowed and an opportunity was granted to file the written statement to Party II, however inspite of opportunities, the Party II did not file any written statement and accordingly the matter proceeded ex-parte against the Party II.

5. In the course of evidence, the Party I examined Shri. R. D. Mangueshkar as witness No. 1 and produced on record a copy of unionization letter dated 13-4-2015 along with resolution copy at Exh. 8 colly, a copy of representation dated 17-4-2015 filed before the Labour Commissioner at Exh. 9, a copy of letter dated 24-8-2015 issued by the Party II to ALC, Ponda, a copy of rejoinder dated 27-8-2015 filed by the union at Exh. 11, a copy of minutes of conciliation proceedings held on 27-8-2015 before the ALC, Ponda at Exh. 12. The Party I also examined Shri Mukesh R. Gaude as witness No. 2 who produced on record a copy of letter dated 1-11-2006 at Exh. 15 and a copy of letter dated 15-7-2013 at Exh. 16; Shri Sanjay K. Das as witness No. 3 who produced on record a copy

of letter dated 28-7-2008 at Exh. 19 and a copy of letter dated 15-7-2013 at Exh. 20; Shri Sandesh E. Naik as witness No. 4 who produced on record a copy of letter dated 14-8-2008 at Exh. 23 and a copy of letter dated 15-7-2013 at Exh. 24; Shri Prabhakar Tiwari as witness No. 5 who produced on record a copy of letter dated 6-7-2011 at Exh. 23 and a copy of letter dated 15-7-2013 at Exh. 28; Shri Rishikesh G. Phadte as witness No. 6 who produced on record a copy of letter dated 27-8-2008 at Exh. 31 and a copy of letter dated 15-7-2013 at Exh. 32 and Shri Abhijit H. Kunkoleinkar as witness No. 7 who produced on record a copy of letter dated 30-4-2012 at Exh. 35 and a copy of letter dated 2-5-2012 at Exh. 36 and closed its case.

6. Heard arguments.

7. The point for determination is whether the non employment of thirteen Party I workmen w.e.f. 13-09-2014 is an instance of refusal of employment by the management or an act of abandonment of services by the workmen and if yes, whether the Party I workmen are entitled for the relief claimed.

8. The Party I has examined seven witnesses in support of its case including General Secretary of Goa Trade and Commercial Workers Union, Shri Rajendra Datta Mangueshkar. He has stated that the Party I workmen were employed with Party II at its factory at Kundaim and suddenly on 13-9-2014 refused employment alleging certain misconducts, which are not proved against the workmen. The Party II also failed to pay their earned salaries and refused to employ them in the factory and that the matter was referred to Assistant Labour Commissioner who advised the Party II to allow the workmen to resume their normal duties, however the Party II did not comply with the advice and refused employment and therefore, the action on the part of Party II in refusing employment is bad in law. The Party II also examined Shri Mukesh R. Gaude who also claimed that he was employed with Party II and worked continuously from the date of appointment till the date of refusal of employment and when he went to report for duty on 13-9-2014, he was stopped by the Manager and his services were terminated. The factory of Party II is operational and has employed new worker in his place and that he is unemployed and has no source of income. The Party I also examined Shri Sanjay K. Das who claimed that he was employed with Party II and was working in the factory along with other workmen. He also stated that when he went to report for duty on 13-9-2014, he was stopped and his services were terminated. Similarly, Shri Sandesh E. Naik also stated that he was working as Machine Operator and was working in the

factory along with the other workmen till the date of refusal of employment. He also stated that when he went to report for duty on 13-9-2014, he was stopped and his services were terminated.

9. The narration of the above workmen has also been ably corroborated by Shri Prabhakar Tiwari, Shri Rishikesh G. Phadte and Shri Abhijit H. Kunkoleinkar. They also stated that they were employed with Party II and working with other workmen continuously from the date of appointment till the date of refusal of employment and when they went to report for duty they were not allowed to work and their services were terminated. The witnesses examined by the Party I have produced on record the appointment letters and appraisals. The Party II have not led any evidence nor denied the case of the workmen concerned by way of filing the written statement. The minutes of conciliation proceedings at Exh. 12 show that it is case of the Party I workmen that they were refused employment and that they asked for reinstatement with back wages and while refuting the said contention, it is claimed by the Party II that all 13 workmen have not attended the duties since 20-5-2013 and that they stopped work of their own, however as rightly pointed out by Ld. Adv. Suhaas Naik for Party I, no letter was issued to the workmen asking them to report for the work, so also no show cause notice, charge sheet nor enquiry was held for abandoning the services and therefore the case of abandonment fails. The material on record therefore shows that the Party I workmen were refused employment from 13-9-2014 onwards and that the action on the part of Party II in refusing employment to Party I workmen is illegal, unjustified and bad in law.

10. The question therefore is what reliefs the Party I/workmen are entitled to, once it is held that the refusal of service is illegal, whether they are entitled for re-instatement with full back wages and continuity in service with consequential benefits attached to the post or adequate monetary compensation in lieu of reinstatement and back wages.

11. Needless to mention, ordinarily workmen whose services have been illegally terminated would be entitled for re-instatement except to the extent they were gainfully employed during the enforced idealness. The Court may substitute re-instatement by compensation on justifiable ground viz. where the industry is closed or where the employee has superannuated or going to retire shortly and no period of service is left to his credit or where workman has been rendered incapacitated to discharge the duties and is not fit to be

reinstated or when he has lost confidence of the management to discharge duties. The case of Party I do not fall in any of the categories mentioned above so as to justify compensation in lieu of reinstatement. The Party I workmen have been refused employment by Party II although they were working since their date of appointment continuously till 13-9-2014. There is nothing on record that the factory of Party II is non-operational or that the workmen are not fit to be reinstated. They are therefore entitled for reinstatement as prayed for.

12. The Party I have proved that the termination of their services were illegal and without following the principles of natural justice. The employer has terminated the services of Party I w.e.f. 13-09-2014. The workmen who have been examined have clearly deposed that they are unemployed and have no source of income. There are no pleading or evidence on behalf of the employer that the workmen were gainfully employed after their refusal/termination. It is also well settled that in cases of refusal of service/termination, reinstatement and back wages is a normal rule. The company is still functioning and is carrying on business at Kundaim Industrial Estate. The Party II has not produced any documents including balance sheet to show that it is running in loss, closed down or is in severe financial doldrums or that the Party I has been employed or secured better permanent employment elsewhere. The Party I having proved that the employer refused services illegally and it is motivated and that the employer has taken away their right to work, contrary to the relevant law and has deprived them of the earnings, the Party I is entitled for the reliefs claimed. There is no dispute that the Party I have produced on record the appraisals showing a salary structure of the workman concerned. Therefore, considering the above, with 50% back wages, continuity in services and consequential benefits attached to the post to the Party I workmen would serve ends of justice, which would be just, proper and equitable in the facts and circumstances of the case. Hence, the above point is answered accordingly.

13. In the result, I pass the following:

ORDER

- (i) The reference stands allowed.
- (ii) The non-employment of the following 13 workmen with effect from 13-09-2014 is an instance of refusal of employment by the management of M/s. Terecom Limited, 102 Plant, Kundaim Industrial Estate, Kundaim, Goa and not an act of abandonment of services by the workmen.

- (iii) The Party II is directed to reinstate the services of the Party I workmen with 50% back wages, continuity in services and consequential benefits attached to the post.
- (iv) The Party II is directed to deposit back wages before the Tribunal as stated above within 60 days of the publication of the Award, failing which the Party II shall pay an interest @ 9% per annum.
- (v) Inform the Government accordingly.

Sd/-

(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Notification

No. 28/2/2019-LAB/Part-III/545

The following interim award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 23-07-2019 in reference No. IT/02/18 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 12th September, 2019.

IN THE INDUSTRIAL TRIBUNAL AND LABOUR COURT

GOVERNMENT OF GOA AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding
Officer)

Ref. No. IT/02/18

Workmen,
Rep. by the General Secretary,
Gomantak Mazdoor Sangh,
G-5, Macedo Apartments,
Tisk, Ponda, Goa-403 401 Workmen/Party I
V/s

1. M/s. Qualpro Diagnostic System,
Division of Tulip Diagnostics (P) Ltd.,
Verna Industrial Estate, Verna,
Salcete, Goa-403 722 Employer/Party II(1)

2. Goa Trade & Commercial Workers Union,
Velho's Bldg., 2nd Floor,
Panaji, Goa-403 001 Workmen/Party II(2)

Workman/Party I represented by Shri P. Gaonkar
along with Ld. Adv. Shri S. P. Gaonkar.

Employer/Party II(1) represented by Ld. Adv. Shri M. S. Bhandodkar.

Workmen/Party II(2) represented by Ld. Adv. Shri Suhaas Naik.

INTERIM AWARD

(Delivered on this the 23rd day of the month of July, of the year 2019)

This Order shall dispose of the application at Exh. 8 filed by the Party I for interim relief.

2. Briefly stated, the case of the Party I is as follows:

That the current wages of the workmen involved in the present reference are meager and not sufficient for day-to-day needs of average family as seen from the wage slips produced along with the claim statement. The cost of living and so also the consumer price index have been rising exponentially over the last years; however, the wages have not increased commensurate to the rise in the consumer price index. The current wage structure does not provide for any increase in relation to the increase in the cost of living index. There is no variable dearness allowance being paid to the workers. Whenever there is an increase in the cost of living, the workers are entitled to an increase in the salary so that the inflation does not cut into their purchasing power. Balance of convenience lies in favour of workmen since the wages are in serious need of revision. The employer had already thought it convenient to negotiate with a particular handpicked union and entered into an unfair settlement by ignoring the workers concerned in the reference whose wages remained stagnant. If the interim increase is not granted, the financial difficulties faced by the workmen would continue and would result in their economic deprivation and therefore to avoid any cascading effect on the lives of the workmen, the financial deprivation must be temporarily put to an halt. No prejudice would be caused to the employer, if the application is allowed as they are liable to pay wages commensurate to the cost of living reflecting the ever rising inflation and therefore a sum of Rs. 6500/- as interim increase in wages per workman be allowed.

3. The Party II(1) filed a reply inter-alia contention that the application is bad in law and not maintainable and filed by a section of workers which would amount to discrimination between the workers. The Party I workers did not come with clean hands as the Party I are representing some of the workers without specifying which workers are required to be paid. The company is having majority union known as Goa Trade & Commercial Workers Union and has signed comprehensive Settlement dated 9-8-2017 on the Charter of demands dated 22-2-2017 under Section 2(p) read

with Section 18(1) of the Act and offered benefits to the minority union and some of the members of the said union accepted the settlement but the Party I have not accepted the settlement and have not been giving the productivity as agreed in the said settlement. There is no justification given for interim relief of Rs. 6500/- per month. The union has no locus standi to file the application for interim relief. The Party II have given substantial rise to all the workers who have signed the settlement and the Party I have refused to accept the benefits of the said settlement and therefore there is no scope for asking for interim relief. No case has been made out by Party I for grant of the application. No prejudice would be caused to Party I and therefore the application be dismissed.

4. Heard arguments. Notes of Written arguments came to be placed on record by Party I as well as Party II(1).

5. Learned Adv. Shri S. P. Gaonkar for Party I has submitted that the current wages of the workmen involved in the present reference are meager and not sufficient for day-to-day needs of an average family as seen from the wage slips. The inflation reduces the real value of Rupee and said factors along with rising Consumer Price Index have to be considered. The real value of the workmen's salary in 2018 is Rs. 16,890/- and therefore in real value terms the increase is mere Rs. 1850/- for the year 2018 to 2019, Rs. 1850/- for 2019 to 2020 and Rs. 2150/- from April, 2020 to September, 2020 and that is the future increase of Rs. 5850/- on September, 2020 and therefore the salary which is currently around Rs. 19,000/- would increase to Rs. 24,850/- which clearly shows that the purchasing power of the pay package will go on reducing in coming future even if the rate of inflation does not increase. The cost of living so also consumer price index has been rising exponentially over the last years, however the wages have not increased. The current wage structure does not provide for any increase in relation to the increase in the cost of living index. There are no variable dearness allowances being paid to the workers. He further submitted that the Apex Court in the case of **Hindustan Lever Ltd. vs. B. N. Dongre, (1994) 6 SCC 157** has observed that if the rise in the pay packet does not keep pace with the rise in prices of essentials, the purchasing power of the pay packet falls reducing the real wages leaving the workers and their families worse off and therefore, if on account of inflation, prices rise while the pay packet remains frozen, the real wages will fall sharply. He further submitted that the balance of convenience for grant of interim increase lies in favour of the workmen since their wages are in serious need of revision. The employer has already thought it

convenient to negotiate only with a particular handpicked union and entered into unfair settlement and if interim increase is not granted, the financial difficulties faced by the workmen would continue and result in economic deprivation. No prejudice would cause to the employer since it is its duty to treat all the workmen fairly and reasonably and therefore the application be allowed.

6. Per contra, Ld. Adv. Shri M. S. Bandodkar for Party II(1) has submitted that the Court can pass interim award only as per Section 2(b) of the Act and an interim award can be granted only on the basis of subject matter of reference and in support thereof, he relied upon the case of **Maharashtra Girls Education Society, Pune vs. Maharashtra Karmachari Sanghatana, Pune, (2018) III CLR 601**. He further submitted that the Party II(1) and Party II(2) have signed a settlement with vast majority of workers on their Charter of demands on 22-2-2017 and the said settlement has been signed on 9-8-2017 and accepted by the majority of members of union without any exception by all the establishments of Party II(1) and that the said settlement is fair and reasonable and the settlement signed by the majority has to be accepted by the minority. The Party I have not accepted the settlement and that they are not giving the productivity as agreed as per clause 19 of the settlement and therefore not entitled for any interim reliefs. In support thereof, he relied upon the cases of **Tata Engineering and Locomotive Co. Ltd. vs. Their workmen, Civil Appeal No. 1484 of 1971 dated 16-10-1981**.

7. It is well settled that the Tribunal has powers to grant interim reliefs in terms of expression 'incidental thereto' occurring in Section 10(4) of Industrial Disputes Act as held in the case of **Management Hotel Imperial, New Delhi and others vs. Hotel Workers Union, 1960 (1) SCR 476**. It is also well established that merely because Court is vested with the powers of granting interim relief in an application under Section 2-A(2) of the Industrial Disputes Act, the same would not relieve Party I from establishing the three preconditions required for seeking such a relief as pointed out in the judgment in the case of **Mahindra & Mahindra Limited vs. Dwarkanath Babaji Dalvi & Anr., 2006 I CLR 902**. The Hon'ble High Court of Calcutta in **Webel Nicco Electronics Ltd. vs. Anima Roy, 1997(II) CLR 158**, has laid down the parameters for grant of interim relief by the Industrial Tribunal. These parameters are (a) prima facie case and (b) balance of convenience.

8. The following points therefore arise for my determinations which are mentioned along with their findings and reasons thereof.

Points	Findings
1. Whether the Party I have made out a prima facie case for grant of relief claimed?	In the Negative.
2. Whether irreparable loss and inconvenience would cause to Party I in case of non grant of relief claimed?	In the Negative.

POINT 1

9. The present reference is for the Charter of demands raised by the Union vide letter dated 28-11-2016 against the management of M/s. Qualpro Diagnostics System, a division of Tulip Diagnostic Ltd., Verna Industrial Estate, Verna. There is no dispute that the company has signed five settlements i.e. dated 23-02-2008, 24-01-2011, 22-05-2014, 10-06-2014 and 09-08-2017. In all the settlements, the Party II has given substantial benefits to all workmen and settlement dated 22-05-2014 has been accepted by Gomantak Mazdoor Sangh in toto without making any allegation. There is also no dispute that 2/3rd of the workmen have accepted the settlement dated 09-08-2017 for the period from 01-04-2017 to 30-09-2020. The said settlement signed by the parties is a comprehensive settlement on the Charter of demands dated 22-2-2017 which was signed on 09-08-2017 and accepted by majority members of union by all the establishment of Party II and the said settlement has been offered to all the members of the Party I and some of them have accepted the said settlement.

10. Curiously enough, it is not known how many of the workmen of Party I have raised the present dispute and how many of them have been challenging the said settlement dated 09-08-2017 to be unfair, malafide, unreasonable and against the interest of the workmen. It is also not known nor statement of claim filed on behalf of the Party I workmen show that they are challenging the settlement dated 09-08-2017 entered into by majority union and the Party II. The Party I have also not specified on whose behalf the demands have been raised or whether the said persons are the members of the union nor any list of workmen have been filed nor any resolution seeking to raise demand on the management has been produced nor filed any affidavit in support of its case. The fact remains that the Party I workmen have not accepted the settlement nor they are giving the productivity as agreed as per clause 19 of the settlement. The settlement has been arrived by vast majority of the concerned workers with their eyes open and also accepted by them in its totality,

which fact cannot be ignored by the Tribunal as when a recognised union negotiates with the employees, it is expected to protect the best interest of the workers. There are also no allegations of malafide, fraud, corruption or other inducement with respect to the settlement arrived at by the parties and in the absence of the said allegations, it cannot be said that the said settlement is unfair or arbitrary as claimed by Party I in the application for interim relief nor Party I workers who are in minority have established the case for grant of any reliefs at this stage.

11. Moreover, the terms of said settlement cannot be considered to be in any way *ex-facie*, unjust or unfair in the absence of challenge to the same as settlement of labour dispute by direct negotiation and collective bargaining is always to be preferred for it is the best guarantee of industrial peace and harmony between the employer and the workmen. The Party II(1) and Party II(2) have signed a comprehensive settlement arising out of the Charter of demands dated 22-2-2017 covering all the demands of Party I, which ensures industrial peace and merely because some of the employees do not agree to the terms of the settlement entered into between the majority union and the employer, they cannot be permitted to contend that it was negotiated with a hand-picked union or that it was an unfair settlement. No such case has been even alleged by the Party I union, much less made out by the Party I in the dispute raised by them before the appropriate authority or in the claim statement or in the application for interim relief. The claim of Party I that the increase in the consumer price index, justifies an upward revision in wages, is not sufficient as by that fact alone, it is not possible to draw an inference that the wages paid is wholly inadequate to meet day to day expenses, in the absence of any evidence to that effect.

12. It requires a mention here that all the establishments of Party II do not work separately as seen from the Balance Sheet which is in the name of Tulip Diagnostics Pvt. Ltd. The establishments as mentioned by the Party I as divisions are not financially independent but they are of the one company viz. Tulip Diagnostics Pvt. Ltd. who has signed the settlements along with all its establishments and are part and parcel of the same company and therefore as rightly pointed out by Ld. Adv. M. S. Bhandodkar, the demands raised by the Party I purporting to be on the division of Tulip Diagnostics Pvt. Ltd. is bad in law and the firms viz. Orchids Biomedical Systems, Qualpro Diagnostics, Zephyr Biomedical and Coral Clinical System who were partnership concerns were

merged into Tulip Diagnostics Pvt. Ltd. on 30-1-2017 and therefore from 31-1-2017 there are no divisions but only one company known as Tulip Diagnostics Pvt. Ltd. Moreover, the local committee of the union and all other workers have signed and accepted the Settlement dated 4-12-2013 with Tulip Diagnostics Pvt. Ltd. and not any division of the said company and have not raised any issue about the same with the company at any time and as such, the Party I Union cannot claim that the Party II(1) is a division of Tulip Diagnostics Pvt. Ltd. and therefore the claim of the Party I is incapable of being adjudicated and hence, *prima facie* no relief as been claimed can be granted.

13. Moreover, there are no facts and figures available on record justifying grant of upward wage revision including granting additional basic pay and other emoluments. There is no evidence before the Tribunal in support of the case of Party I that they are entitled for a sum of Rs. 6500/- as interim increase in wages per workman per month nor they have filed an application before the Tribunal for an opportunity to lead evidence. The Party II(1) have raised an issue of jurisdiction and maintainability before grant of interim relief in the matter which requires evidence before deciding the said issue. There also cannot be any dispute that the Party I have accepted the Settlement dated 10-06-2014 and as per clause (e) the parties have agreed that during the operative period of the settlement, the union/workmen shall not raise, pursue/agitate any other demands of whatsoever nature entailing additional financial or administrative impact other than what has been agreed in terms of the said settlement. The Party I raised the Charter of demands giving a go-by to the Settlement dated 10-06-2014 as in view of the said terms and conditions of the settlement, they were precluded from raising any financial demand till new settlement is signed in accordance with law. It is therefore as rightly submitted by Ld. Adv. M. S. Bhandodkar in view of the said clause of the settlement, the Party I cannot make an application for interim relief. Moreover, there are no materials on record on financial position of the company, industry cum region, paying capacity and comparable concern. The settlements which have been relied upon by the Party I are in no way comparable to the company nor there is anything on record as to how those settlements can be compared with one establishment of the company and therefore the wage structure as sought by the Party I cannot be altered.

14. There are also no materials about the necessities of the workmen, the justification of their demands for living wage or fair wage and the extent thereof in the claim statement as well as application for interim relief. In short, the claim of Rs. 6500/- as interim increase in wages per workman by Party I workmen would put an obligation on Party II to pay increase in wages to Party I workmen without any obligation on the part of the workmen to increase in productivity, which would be discriminatory and would disturb industrial peace and therefore would not be desirable state of affairs, which is required to be protected to avoid friction and unhealthy litigation. There are absolutely no justifiable reasons given by the Party I as to how they are entitled for said increase in wages. Merely, claiming that the current wages of the workmen is not sufficient for day-to-day needs of the family and that the cost of living, so also the consumer price index has been rising exponentially over the last years is not sufficient. Prima facie therefore, the Party I has failed to show any case in its favour. It is therefore, the point No. 1 is answered in the negative.

POINT 2

15. It is claimed by Party I workmen that the balance of convenience for grant of interim relief is in favour of Party I workmen since their wages are in serious need of revision and that the inflation has cut into their purchasing power. It is also claimed that the workers involved in the reference has been ignored and their wages remained stagnant and if their interim increase is not granted, the workers will face financial difficulties, resulting in economic deprivation and that no prejudice would cause to the employer, if the present application is allowed. However, as rightly pointed out by Ld. Adv. Shri Bandodkar there is no change in circumstances to warrant the Charter of demands dated 4-12-2013 for revision in wages for 2017 when the Settlement dated 10-06-2014 signed by the workers and the management revised the wages till 31-3-2017. Moreover, the workers have refused to give extra productivity which was one of the reasons for increase in wages in 2017 settlement and since the minority union has refused to sign the settlement dated 09-08-2017 and give more productivity as agreed by the majority union, balance of convenience cannot be said to be in favour of the Party I workmen. No irreparable loss would occasion to the Party I workmen as they derive benefits of the Settlement dated 10-06-2014 which has revised the wages from 1-1-2013 to 31-3-2017 and unless they accept the settlement and give extra productivity as per the new

settlement, irreparable loss would occasion to the Party II(1). There would be also discrimination and industrial unrest, if the demand of interim increase in wages of Rs. 6500/- is granted to the Party I workmen without accepting the settlement and giving productivity as is being done by the majority union in terms of the Settlement dated 09-08-2017. No irreparable loss would cause to Party I workmen if reliefs are not granted at this stage as their charter of demands are pending for final determination on merits. It is therefore the above point No. 2 is answered accordingly.

16. Having said so, I pass the following:

ORDER

- (i) The application filed by Party I for interim relief at Exhibit 8 stands dismissed.
- (ii) No order as to costs.
- (iii) Inform the Government accordingly.

Sd/-

(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

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Department of Personnel

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Order

No. 5/1/2018-PER/2414

The Governor of Goa is pleased to order transfer of the following Junior Scale Officer of Goa Civil Service, in public interest, with immediate effect:-

Sl. No.	Name of the Officer & present post	Posted as
1	2	3
1.	Shri Sudin Natu, Under Secretary (Revenue-I)	Under Secretary to the Hon'ble Deputy Chief Minister, Shri Chandrakant (Babu) Kavlekar. He shall hold the charge of the post of Under Secretary (Revenue-I) in addition to his own duties.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I)
Porvorim, 10th September, 2019.

Order

No. 24/3/2017-PER/2443

Read: 1. Order No. 24/2/2016-PER dated 19-07-2017.
2. Order No. 24/3/2017-PER/657 dated 01-03-2018.

Sanction of the Government is hereby accorded to Smt. Smita R. Chandwani and Shri Francisco Julio da Piedade da Veiga Barbosa Noronha, both Joint Secretary (Law), (Group "A" Gazetted), Law Department (Legal Affairs) to draw pay in the revised pay scale of Level 13 of the Pay Matrix of the CCS (Revised) Pay Rules, 2016 with effect from 20-07-2019 as per the Conditions of Service, notified vide Notification No. 1/2/2015-PER dated 22-05-2017, published in the Official Gazette, Series I No. 9 dated 01-06-2017.

The pay of the officer shall be fixed accordingly as per CCS (Revised) Pay Rules, 2016.

The officers shall exercise option to fix their pay within one month from the date of this Order.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide their U.O. No. 1400042879 dated 05-08-2019 and Goa Public Service Commission vide their letter No. COM/II/11/58(1)/2017/896 dated 30-08-2019.

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).
Porvorim, 12th September, 2019.

Order

No. 7/3/2019-PER/2449

The Governor of Goa is pleased to transfer Shri Shashank Mani Tripathi, IAS, Commissioner of Corporation of City of Panaji and post him as Director, Department of Sports and Youth Affairs with immediate effect.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).
Porvorim, 13th September, 2019.

Order

No. 7/3/2019-PER/2438

Read: 1. Notification No. 7/3/2019-PER/2346 dated 29-08-2019.
2. Notification No. 7/3/2019-PER/2350 dated 30-08-2019.

In supersession of all orders issued in this regard, the standing arrangement for disposal of work relating to the Departments under the charge of Secretary during the absence of the concerned Secretary shall be as under:

Sr. No.	Name & Designation	1st Link Secretary	2nd Link Secretary
1	2	3	4
1.	Shri Parimal Rai, IAS (1985) Chief Secretary 1. Vigilance/Chief Vigilance Officer 2. Home 3. Personnel 4. ARD 5. PWD 6. Civil Aviation	Shri Puneet Kumar Goel, IAS (1991)	Shri Daulat A. Hawaldar, IAS (2003)
2.	Shri Puneet Kumar Goel, IAS (1991) Principal Secretary (Power) 1. Power 2. Non-Conventional Energy 3. Urban Development 4. Forest 5. Environment 6. Science & Technology 7. Nodal Officer (PMAY)	Shri Daulat A. Hawaldar, IAS (2003)	Shri Rupesh Kumar Thakur, IAS (2006)

1	2	3	4
3.	Shri Daulat A. Hawaldar, IAS (2003) Commissioner & Secretary (Finance) 1. Finance 2. Mines and Geology 3. Planning & Statistics 4. Town & Country Planning	Shri Puneet Kumar Goel, IAS (1991)	Shri Rupesh Kumar Thakur, IAS (2006)
4.	Shri P. S. Reddy, IAS (2003) Secretary (Ports) 1. Ports 2. River Navigation 3. Fisheries 4. Legal Metrology	Shri Daulat A. Hawaldar, IAS (2003)	Smt. Nila Mohanan, IAS (2007)
5.	Shri Rupesh Kumar Thakur, IAS (2006) Secretary to Governor 1. Secretary to Governor 2. Transport 3. Panchayat 4. Rural Development 5. Information and Publicity	Smt. Nila Mohanan, IAS (2007) (Except Sr. No. 1)	Shri Daulat A. Hawaldar, IAS (2003) (Except Sr. No. 1)
6.	Smt. Nila Mohanan, IAS (2007) Secretary (Education) 1. Education 2. Industries, Trade & Commerce 3. Health 4. Handicrafts, Textile & Coir	Shri Daulat A. Hawaldar, IAS (2003)	Shri Sanjay Kumar, IAS (2008)
7.	Shri Sanjay Kumar, IAS (2008) Secretary (Revenue) 1. Revenue 2. Social Welfare 3. NRI Affairs 4. Factories and Boilers	Smt. Nila Mohanan, IAS (2007)	Shri P. S. Reddy, IAS (2003)
8.	Shri J. Ashok Kumar, IAS (2008) Secretary to Chief Minister 1. Secretary to Chief Minister 2. Sports & Youth Affairs 3. Tourism 4. Nodal Officer for ODF & Swatch Bharat Mission	Shri Sanjay Kumar, IAS (2008) (Except Sr. No. 1)	Shri Sanjay Gihar, IAS (2008) (Except Sr. No. 1)
9.	Shri Chokha Ram Garg, IAS (2008) Secretary (Women and Child Development) 1. Women and Child Development 2. Tribal Welfare 3. Art & Culture 4. Skill Development & Entrepreneurship 5. Archeology 6. Archives 7. Co-operation 8. Law & Judiciary and Legislative Affairs	Shri Sanjay Gihar, IAS (2008)	Shri Kuldeep Singh Gangar, IAS (2009)

1	2	3	4
10.	Shri Sanjay Gihar, IAS (2008) Secretary (Water Resources) 1. Water Resources 2. Provedoria 3. Official Language 4. Public Grievances 5. Member Secretary, Goa State Commission for Protection of Child Rights	Shri P. S. Reddy, IAS (2003)	Shri Kuldeep Singh Gangar, IAS (2009)
11.	Shri Kuldeep Singh Gangar, IAS (2009) Secretary (Agriculture) 1. Agriculture 2. Housing 3. Animal Husbandry & Veterinary Services 4. Protocol	Shri Chokha Ram Garg, IAS (2008)	Shri Sanjay Gihar, IAS (2008)
12.	Shri Ravi Jha, IAS (2011) Secretary (Information Technology) 1. Information Technology 2. Labour & Employment 3. Special Secretary (Personnel, Home and Vigilance)	Shri Kuldeep Singh Gangar, IAS (2009)	Shri Sanjay Kumar, IAS (2008)
13.	Ms. Isha Khosla, IAS (2011) Secretary (General Administration) 1. General Administration 2. Civil Supplies 3. Goa Gazetteer 4. Printing & Stationery 5. Museum	Shri Daulat A. Hawaldar, IAS (2003)	Shri J. Ashok Kumar, IAS (2008)

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 12th September, 2019.

Order

No. 15/1/99-PER (Part) CO.Sanguem/Pernem/2422

On the recommendation of Goa Services Board and with the approval of the Government, the following transfers are ordered in the cadre of Mamlatdar/Joint Mamlatdar, in public interest, with immediate effect:

Sr. No.	Name	Present posting	Posted as
1.	Shri Anant Rajaram Malik	Joint Mamlatdar-III, Pernem	Mamlatdar, Pernem.
2.	Shri Rajesh Azgaonkar	Mamlatdar, Pernem	Chief Officer, Valpoi Municipal Council.

Shri Pravinjay Pandit, Mamlatdar, Bicholim shall hold the charge of Chief Officer of Sankhali Municipal Council in addition to his own duties thereby relieving Smt. Gautami Parmekar of the additional charge.

The posting of Shri Azgaonkar shall be governed by standard terms of deputation as amended from time to time.

Shri Malik shall hold the additional charge of Joint Mamlatdar-III, Pernem.

All the above officers shall take charge immediately and submit compliance report.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 11th September, 2019.

Order

No. 6/10/2017-PER/2448

On the recommendation of the Goa Services Board, the Governor of Goa is pleased to order the transfer and posting of the following Officers of Goa Civil Service, in public interest, with immediate effect:-

Sr. No.	Name and present posting of the officer	Posted as
1.	Dipak Dessai, Director of Women and Child Development	Director, Directorate of Skill Development and Entrepreneurship.
2.	Deepali Naik, Joint Director (ICDS)	Director, Directorate of Women and Child Development.
3.	Rajendra Mirajkar, awaiting posting	Member Secretary, Ravindra Bhavan, Margao.
4.	Sagun Velip, Member Secretary, Ravindra Bhavan, Margao	Director, Directorate of Tribal Welfare.
5.	Meghanath Porob, awaiting posting	Managing Director, Goa Housing Board.
6.	Derrick P. Neto (on transfer)	Managing Director, Goa Human Resource Development Corporation.

Sanjit Rodrigues, Project Director, D.R.D.A. (North) shall hold additional charge of Commissioner, Corporation of City of Panaji.

Parag Nagorcekhar, Director of Social Welfare shall hold the additional charge of Managing Director of Goa State Minorities Finance and Development Corporation Ltd.

Mahadev Araundekar, Additional Collector (III), Mapusa shall hold the additional charge of SLAO, Goa Industrial Development Corporation, Panaji-Goa.

Deepali Naik shall hold the additional charge of Joint Director (ICDS) and Member Secretary, Goa State Commission for Women.

The officers posted against ex-cadre deputation posts shall be governed by standard terms of deputation as amended from time to time.

The officers shall complete handing over and taking over process with immediate effect and submit compliance.

By order and in the name of the Governor of Goa.

Shashank V. Thakur, Under Secretary (Personnel-I).

Porvorim, 13th September, 2019.

Order

No. 22/1/2018-PER/2452

The Governor of Goa is pleased to allocate the charges as mentioned against the name of the following IPS Officers with immediate effect, in public interest:-

Sr. No.	Name	Present charge	New charge
1.	Shri Utkrisht Prasoon, IPS	SP (ACB) Additional charge of SP (SB), SP (ANC) & SP (North), Porvorim	SP (North), Porvorim.
2.	Shri Shobhit D. Saksena, IPS	Awaiting posting	SP (ACB) Additional charge of SP (SB) and SP (ANC).

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).

Porvorim, 13th September, 2019.

Notification

No. 7/8/2016-PER(PART-I)/2369

Read: Notification No. 7/8/2016-PER(PART-I)/352 dated 29-01-2019.

In exercise of the powers conferred by Article 316 of the Constitution of India, read with Regulation 5 of the Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988 and in review of the notification read in preamble, the tenure of Shri Jose Manuel Noronha, as Chairman, Goa Public Service Commission shall be for six years, reckoned from the date he entered his office as Chairman or until he attains the age of sixty two years, whichever is earlier.

By order and in the name of the Governor of Goa.

Maya Pednekar, Under Secretary (Personnel-II).

Porvorim, 29th August, 2019.

Department of Planning

Directorate of Planning, Statistics & Evaluation

Order

No. DPSE/ADMN/Direct. Rec./SO/2018/1485

On the recommendation of the Goa Public Service Commission vide their letter No. COM/II/11/38(1)/2018/44 dated 30-04-2019, Shri Kailas Digambar Gokhale is hereby appointed to the post of Statistical Officer of the Goa Statistical Cadre of this Directorate with immediate effect on regular basis. His pay is in the pay band of Rs. 9300-34800+G.P Rs. 4600/- (pre-revised) Level 7 as per VII Pay Commission and posted at Directorate of Planning, Statistics & Evaluation, Porvorim. He is entitled to draw all allowances admissible as per rules.

The appointment of Shri Kailas Digambar Gokhale will be on probation for a period of two years.

The appointment is subject to the condition stipulated in the Memorandum No. DPSE/ADMN/Direct. Rec./SO/2018/15 dated 24-05-2019 and corrigendum No. DPSE/ADMN/Direct. Rec./SO/2018/875 dated 06-06-2019.

Shri Kailas Digambar Gokhale has already been examined medically and found fit and his character and antecedents have been verified and found nothing adverse.

A copy of the joining report may be submitted to this Directorate for record.

This issues with the Government approval vide U.O. No. 1329/F dated 05-09-2019.

By order and in the name of the Governor of Goa.

Dr. Y. Durga Prasad, Director & ex officio Joint Secretary (Planning).

Porvorim, 11th September, 2019.

Order

No. DPSE/1/ADMN/DEPU/4/2018/1387

Sub.: Appointment against the post of Project Economist on deputation basis.

Shri Arjun Paik Gaonkar, Research Assistant of the Common Statistical Cadre is hereby transferred and posted as Project Economist on deputation basis initially for one year in the District Rural Development Agency, North Goa, Panaji.

He shall hold additional charge for 02 (two) days in a week (Tuesday & Thursday) at District Rural Development Agency, South Goa, Margao.

Shri Gaonkar stands relieved from his Directorate w.e.f. 28-08-2019 (a.n.) so as to enable him to join his duties on 29-08-2019 at the place of his posting.

His period of deputation shall be as per the standard terms and conditions of deputation contained in O.M. No. 13/4/74/PER dated 20-11-2013 issued by the Personnel Department and as amended from time to time.

Shri Arjun Paik Gaonkar has to submit joining report to this Directorate for record.

This issues with the Government approval vide U.O. No. 1718 dated 22-8-2019.

By order and in the name of the Governor of Goa.

Dr. Y. Durga Prasad, Director & ex officio Jt. Secretary (Planning).

Porvorim, 28th August, 2019.

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Department of Public Health
Order

No. 13/52/89-IV/PHD(Part-II)/1366

Government is pleased to re-nominate Dr. Ida de Noronha de Ataide, Dean of Goa Dental College & Hospital, Bambolim-Goa as a member of Dental Council of India u/s 3(e) of the Dentists Act, 1948 to represent the Government of Goa for a period of five years with effect from 18-07-2019 to 17-07-2024.

By order and in the name of the Governor of Goa.

Trupti B. Manerkar, Under Secretary (Health-I).

Porvorim, 10th September, 2019.

Department of Revenue**Order**

No. 21/2/Misc./II/2018-RD/2694

Sub.: Transaction of Land Sale/Gift, Mutation, Power of Attorney etc. by widows.

Read: 1. Order No. 21/2/Misc./II/2018-RD/963 dated 22-05-2018.

2. Circular No. 21/2/Misc./II/2018-RD dated 04-10-2018.

3. Order No. 21/2/Misc./II/2018-RD/478 dated 20-02-2019.

4. Circular No. 21/2/Misc./II/2018-RD/2023 dated 29-05-2019.

Whereas, Government vide above read Order No. 21/2/Misc./II/2018-RD/963 dated 22-05-2018 has appointed the Deputy Collector/SDO's in their respective Sub-Divisions and the Dy. Resident Commissioner, Goa Sadan at Delhi as the Competent Authorities who will examine and certify the fact that the conveyance documents and mutation of widows' property is not done by the widow under coercion or undue influence in the template suggested in the said Order.

The Government has now decided to permit the Deputy Collector/SDOs or Deputy Resident Commissioner, Goa Sadan to add a line in the certificate that the ownership/title of the concerned property has not been verified.

By order and in the name of the Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 10th September, 2019.

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Department of Town & Country Planning
Notification

No. 4-3-UDD/MLA/TCP/2012-19/2307

In exercise of the powers conferred by Section 4 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act No. 21 of 1975), read with Section 21 of the General Clauses Act, 1897 (Central Act No. 10 of 1897), the Government of Goa hereby amends the Government Notification No. 4-3-UDD/MLA/TCP/2017/2841 dated 7th September, 2017, published in the Official Gazette, Series II No. 24 dated 14-09-2017 (hereinafter referred to as the "principal Notification") as follows, namely:-

In the principal Notification,-

- (i) in the entry against serial No. 18, for the expression "Government of Goa", the expression "Government of India" shall be substituted;
- (ii) for the entry against serial No. 21, the following entry shall be substituted, namely:- "21. Shri Antonio P. Diniz, Cusmane, Quepem Member.";
- (iii) for the entry against serial No. 24, the following entry shall be substituted, namely:- "24. Chief Town Planner (Planning) ... Member Secretary."

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Rajesh J. Naik, Chief Town Planner & ex officio Jt. Secretary (Planning).

Panaji, 13th September, 2019.

Notification

No. 4-5-2-84-UDD(Pt)/12/2339

In exercise of the powers conferred by sub-sections (1) and (3) of Section 20 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), read with Rule 3 of the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) Rules, 1977 and in supersession of the Government Notification No. 4-5-2-84-UDD(Pt)/2018/2292 dated 07-11-2018, published in the Official Gazette, Series II No. 32 dated 08-11-2018, the Government of Goa, hereby reconstitutes in respect of the Vasco-da-Gama Planning Area, as declared vide the Government Notification No. 4-5-2-84-UDD(Part)/05/2737 dated 27-9-2005, published in the Official Gazette, Extraordinary No. 3, Series I No. 25 dated 27-09-2005, read with the Government Notification No. 4-5-2-84-UDD/Part/TCP/2013/2109 dated 28-05-2013, published in the Official Gazette, Series I No. 9 dated 30-05-2013 and the Government Notification No. 29/8/TCP/Sancoale/Pt/RP/2015-16/1175 dated 11-03-2016, published in the Official Gazette, Series I No. 51 dated 17-03-2016, an authority to be called the Mormugao Planning and Development Authority consisting of the following members, namely:-

1. Shri Clafacio Dias, — Chairman.
Hon'ble MLA of Cuncolim
Assembly Constituency

2. Hon'ble MLA, Vasco Assembly Constituency — Member.
3. Hon'ble MLA, Mormugao Assembly Constituency — Member.
4. Hon'ble MLA, Dabolim Assembly Constituency — Member.
5. Hon'ble MLA, Cortalim Assembly Constituency — Member.
6. Chairperson, Mormugao Municipal Council — Member.
7. Shri Damodar Kaskar, Councilor, Mormugao Municipal Council — Member.
8. Shri Kamla Prasad Yadav, Deputy Sarpanch of Chicalim-Dabolim Village Panchayat — Member.
9. Smt. Anita Thorat — Member.
10. Shri Kushali J. Velip, Velipwada, Barcem, Quepem-Goa — Member.
11. Shri Brian James Pereira, Guirdolim, Chandor, Salcete — Member.
12. Smt. Niquela Jeorgina Fernandes, Panzorconim, Cuncolim, Salcete — Member.
13. Shri Chandrakant Gawas, Dabolim — Member.
14. Shri Rajan Dicholkar, Vasco — Member.
15. Town Planning Officer — Member Secretary.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Rajesh J. Naik, Chief Town Planner & ex officio Joint Secretary (Planning).

Panaji, 17th September, 2019.

Notification

No. 28/11/TCP/2017-19/2340

In exercise of the powers conferred by sub-sections (1) and (3) of Section 20 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), read with Rule 3 of the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) Rules, 1977 and in supersession of the Government Notification No. 28/11/TCP/2018/293 dated 14-02-2018, published in the Official Gazette,

Series II No. 46 dated 15-02-2018, the Government of Goa hereby re-constitutes in respect of (i) Panaji Planning Area declared as such vide the Government Notification No. 28/10/TCP/2018/203 dated 31-01-2018, published in the Official Gazette, Series I No. 44 dated 01-02-2018, (ii) Mapusa Planning Area declared as such vide the Government Notification No. 4-5-2-84-UDD/Pt/TCP/2012-15/4928 dated 09-12-2015, published in the Official Gazette, Series I No. 38 dated 17-12-2015, (iii) Calangute-Candolim Planning Area declared as such vide the Government Notification No. 4-5-2-84-UDD/Pt/TCP/15/60 dated 08-01-2015, published in the Official Gazette, Series II No. 42 dated 15-01-2015, read with the Government Notification No. 4-5-2-84-UDD/Pt/Tcp/2016/4297 dated 18-10-2016, published in the Official Gazette, Series II No. 29 dated 20-10-2016 and (iv) Arpora-Nagoa-Parra Planning Area declared as such vide the Government Notification No. 28/10/TCP/2018/163 dated 24-01-2018, published in the Official Gazette, Series III No. 43 dated 25-01-2018, an authority to be called the North Goa Planning and Development Authority, consisting of the following members, namely:-

1. Shri Francisco Silveira, — Chairman.
Hon'ble MLA of St. Andre
Assembly Constituency
2. Hon'ble MLA, Calangute — Member.
Assembly Constituency
3. Hon'ble MLA, Taleigao — Member.
Assembly Constituency
4. Hon'ble MLA, Panaji Assembly — Member.
Constituency
5. Hon'ble MLA, Mapusa Assembly — Member.
Constituency
6. Hon'ble MLA, Aldona Assembly — Member.
Constituency
7. Hon'ble MLA, Siolim Assembly — Member.
Constituency
8. Hon'ble MLA, Saligao Assembly — Member.
Constituency
9. Hon'ble MLA, Thivim Assembly — Member.
Constituency
10. Mayor of Corporation of the — Member.
City of Panaji
11. Shri Sandeep Falari, Councilor, — Member.
Mapusa Municipal Council
12. Shri Dharmandra Kandolkar, — Member.
Panch, Calangute Village
Panchayat

13. Shri. Jitendra Ramdas Gaonkar, — Member.
Aquem, Margao-Goa
14. Smt. Alexandrinha Caetaninha — Member.
Pires, Igramall, Quepem-Goa
15. Shri Vishwas V. Gharse, — Member.
Agassaim, Tiswadi-Goa
16. Shri Allan Silveira, Agassaim, — Member.
Tiswadi-Goa
17. Shri Wilson Gerry Pereira, — Member.
Agassaim, Tiswadi-Goa
18. Town Planning Officer — Member
Secretary.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

Rajesh J. Naik, Chief Town Planner & ex officio
Joint Secretary (Planning).

Panaji, 17th September, 2019.

Notification

No. 28/11/TCP/2019/2341

In exercise of the powers conferred by sub-sections (1) and (3) of Section 20 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975), read with Rule 3 of the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) Rules, 1977 and in supersession of the Government Notification No. 28/11/TCP/2018/292 dated 14-02-2018, published in the Official Gazette, Series II No. 46 dated 15-02-2018, the Government of Goa hereby re-constitutes in respect of the Taleigao Planning Area declared as such vide the Government Notification No. 28/10/TCP/2018/203 dated 31-01-2018, published in the Official Gazette, Series I No. 44 dated 01-02-2018, and the Bambolim Planning Area, Kadamba Planning Area declared as such vide the Government Notification No. 28/10/TCP/2018/163 dated 24-01-2018, published in the Official Gazette, Series III No. 43 dated 25-01-2018, read with the Government Notification No. 28/10/TCP/2017-18/1824 dated 03-09-2018, published in the Official Gazette, Series I No. 23 dated 06-09-2018, an authority to be called the Greater Panaji Planning and Development Authority consisting of the following members, namely:-

1. Shri Atanasio J. Monserratte, — Chairman.
Hon'ble MLA of Panaji
Assembly Constituency

- | | | | |
|--|-----------|---|---------------------|
| 2. Hon'ble MLA, Taleigao Assembly Constituency | — Member. | 11. Shri Pundalik Raut Dessai, Councillor, Corporation of the City of Panaji | — Member. |
| 3. Hon'ble MLA, St. Andre Assembly Constituency | — Member. | 12. Shri Pedro Coutinho, Ex. Senior Town Planner | — Vice-Chairman. |
| 4. Hon'ble MLA, St. Cruz Assembly Constituency | — Member. | 13. Shri Filu D'Costa, Deulmol, Quepem-Goa | — Member. |
| 5. Hon'ble MLA, Cumbharjua Assembly Constituency | — Member. | 14. Shri Shiva Naik, Cumbharjua | — Member. |
| 6. Sarpanch, Village Panchayat of Taleigao | — Member. | 15. Shri Mario Fernandes, Business | — Member. |
| 7. Sarpanch, Village Panchayat of Chimbel | — Member. | 16. Shri Allan Machado, Engineer | — Member. |
| 8. Sarpanch, Village Panchayat of St. Cruz | — Member. | 17. Town Planning Officer | — Member Secretary. |
| 9. Sarpanch, Village Panchayat of Se Old Goa | — Member. | This Notification shall come into force on the date of its publication in the Official Gazette. | |
| 10. Sarpanch, Village Panchayat of Curca-Bambolim-Talaulim | — Member. | By order and in the name of the Governor of Goa. | |
| | | Rajesh J. Naik, Chief Town Planner & ex officio Joint Secretary (Planning). | |
| | | Panaji, 17th September, 2019. | |

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